

STATE OF NEW YORK DEPARTMENT OF PUBLIC SERVICE
BOARD ON ELECTRIC GENERATION SITING AND THE ENVIRONMENT
THREE EMPIRE STATE PLAZA, ALBANY, NY 12223-1350

Internet Address: <http://www.dps.state.ny.us>

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04041/99F0478

Siting Board Schedules Meeting on Sunset Energy Fleet LLC Appeal

Albany, NY – 5/28/04 – The New York State Board on Electric Generation Siting and the Environment (Siting Board) has scheduled a meeting for Friday, June 4, 2004, at 10:30 a.m. in the 19th floor Board Room of the New York State Department of Public Service at 3 Empire State Plaza, Albany, New York.

The purpose of the meeting is to consider an interlocutory appeal filed by Sunset Energy Fleet LLC (Sunset Energy) and responsive and other pleadings in Siting Board case 99-F-0478, petition of Sunset Energy Fleet LLC for a Certificate of Environmental Compatibility and Public Need (Certificate) under Article X of the State Public Service Law to construct and operate a 520-megawatt (MW) electric generating facility in Sunset Park, the Borough of Brooklyn, New York. An interlocutory appeal is a request filed by an active party in the case that the Siting Board promptly review a determination or ruling issued by the Hearing Examiners in the case.

The meeting of the Sunset Siting Board is open to the public. However, since participants in the case pending before the Sunset Siting Board already have been provided opportunities to comment on and respond to the application, participants will not address the Siting Board at the meeting. Individuals in New York City wishing to view a videocasting of the Siting Board meeting may do so in the Board Room at the New York State Department of Public Service's offices on the 8th floor of One Penn Plaza, New York, NY. The videocasting will be for viewing and listening purposes only. **Pursuant to procedures established by the building management, anyone planning to view the meeting in the New York City Board Room must notify Jan Goorsky at 212-290-4361 no later than close-of-business on Wednesday, June 2, 2004, and must be prepared to show valid photo identification upon arrival at One Penn Plaza.**

In addition, the meeting will be broadcast live on the Internet. The Internet broadcast can be viewed through a subscription to NewYorkAdmin by accessing <http://www.NewYorkAdmin.com> from a computer capable of using RealPlayer. RealPlayer can be downloaded from the NewYorkAdmin site. The Siting Board has no financial interest in the NewYorkAdmin site, its management, maintenance or administration.

TDD users may request that a sign language interpreter be present at the Sunset Siting Board meeting. To make a request, please call the New York State Department of Public Service's Human Resources Management office at (518) 474-2520 through the New York Relay Service at 1-800-662-1220 or have a representative call collect directly to the office. Disabled persons who require special accommodations other than a sign language interpreter may place a collect call to the Department of Public Service's Human Resources Management office at (518) 474-2520.

Under Article X of the New York State Public Service Law, the State Siting Board for this application consists of the Chairman of the New York State Public Service Commission or his designee, the Commissioners or their designees from the New York State Departments of Environmental Conservation, Health, and Economic Development, and the Chairman of the New York State Energy Research and Development Authority, or his designee, as well as two additional members – one from the judicial district and the other from the county where the facility is proposed to be located. The two additional members are Jose Carrillo and Thomas J. Edwards.

Sunset Energy's interlocutory appeal and the responsive and other pleadings in Case 99-F-0478 can be viewed at the Department of Public Service's Files Room, 14th Floor, 3 Empire State Plaza, Albany, NY, and the Department's New York City Files Office, 8th Floor, One Penn Plaza, Manhattan. Information about the case also can be viewed at the New York State Department of Public Service website <http://www.dps.state.ny.us/sef.htm>.